



Emma Gilmore  
Partner

May 29, 2024

**VIA ECF**

The Honorable Edward R. Korman  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Patel v. Koninklijke Philips N.V., et al., No. 21-cv-4606-ERK-MMH*

Dear Judge Korman:

We represent Lead Plaintiff Richard Sun and Plaintiff Subhash Patel (“Plaintiffs”) in the above-referenced action. We write to inform the Court that, as reported by the Pittsburgh Post-Gazette, the U.S. Securities and Exchange Commission launched an investigation into Philips Respironics, “focus[ing] on whether [the] global company properly alerted investors to breathing machine dangers.” Reportedly, the “SEC is seeking information about the inner workings of the company—including scientific tests of the flawed devices—and the steps it took to inform investors who stood to lose billions of dollars . . . .” The article is attached as Exhibit A.

The Court may take judicial notice of news articles reporting government investigations. *In re Am. Funds Sec. Litig.*, 556 F. Supp. 2d 1100, 1105-07 (C.D. Cal. 2008) (taking judicial notice of news articles reporting an SEC investigation), *vacated and remanded on other grounds*, 395 F. App’x 485 (9th Cir. 2010); *In re Smith Barney Transfer Agent Litig.*, 765 F. Supp. 2d 391, 397 (S.D.N.Y. 2011) (“A court may also take judicial notice of news articles discussing the conduct raised in the complaint.”).

Respectfully submitted,

By: /s/ Emma Gilmore

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*Lead Counsel for Plaintiffs & the Proposed Class*

cc: All counsel of record (via ECF)